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CERTIFICATE OF MAILING

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**PATENT** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Perusek, et al.		)	Examiner:	John C. Fox
Serial No.:	10/721,312	)	Art Unit:	3753
Filed:	November 25, 2003	)	Attorney Doc	ket No.: 22188/06605
For:	MODULAR SURFACE MOUNT FLUID SYSTEM	) )		

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A&B form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

## FOREIGN LANGUAGE DOCUMENTS

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for
foreign language documents, Applicant encloses herewith a copy of a Communication
from a foreign patent office in a counterpart application citing such documents, together
with that portion of the Communication indicating the degree of relevance found by the
foreign patent office.

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	In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)( foreign language documents, Applicant submits the following explanations:				
	Complete English translations of foreign language documents are being submitted herewith, and therefore no concise explanation for such documents is required.				
<u>CER</u>	TIFICATION AND FEE PAYMENT INFORMATION				
	The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination under 37 C.F.R. § 1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required. If this is not the case, the patent office is hereby authorized to charge any related fee to Deposit Account No. 03-0172.				
	The present Information Disclosure Statement is being filed thirty days or fewer from a Communication from a foreign patent office and Applicant submits the following Statement Under 37 C.F.R. § 1.704(d). Each item of information contained in the Information Disclosure Statement was cited in a Communication from a foreign patent office in a counterpart application and this Communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.				
	The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant submits the following Statement under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required. If this is not the case, the patent office is hereby authorized to charge any related fee to Deposit Account No. 03-0172.				
	Each item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.				
	No item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this statement.				
	The present Information Disclosure Statement is being filed (without a Statement under 37 C.F.R. § 1.97(e)) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action,				

	(which	fotice of Allowance, or an action that otherwise closes prosecution in the application whichever is earlier). Accordingly, Applicant submits the fee required under 37 C.F.R. 1.17(p). The fee is being paid in the following manner:				
		A check is attached in the amount of \$ as required under 37 § 1.17(p).				
		The patent office is hereby authorized to charge the amount of \$ and any related fee to Deposit Account No. 03-0172.				
	Office application submit	resent Information Disclosure Statement is being filed after the mailing of a final Action, Notice of Allowance or an action that otherwise closes prosecution in the ation, but on or before the payment of the issue fee. Accordingly, Applicant at the following Statement under 37 C.F.R. § 1.97(e) along with the fee required 37 C.F.R. § 1.17(p).				
Each item of information contained in this information disclosure stated in a Communication from a foreign patent office in a counterpart application not more than three months prior to the filing of this states						
		No item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.				
		AND, the fee is being paid in the following manner:				
		A check is attached in the amount of \$ as required under 37 § 1.17(p).				
	The patent office is hereby authorized to charge the amount of \$ any related fee to Deposit Account No. 03-0172.					
		Respectfully submitted,				
Date:	Dec	Mark R. Hull, Reg. No. 54,753  CALFEE, HALTER & GRISWOLD LLP 1400 McDonald Investment Center 800 Superior Ave. Cleveland, OH 44114-2688 (216) 622-8419				

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P PADEMARK		Complete if Known	
Substitute for form 1449A/PTO	Application Number	10/721,312	
INFORMATION DISCLOSURE	Filing Date	November 25, 2003	
STATEMENT BY APPLICANT	First Named Inventor	Robert V. Perusek	
	Group Art Unit	3753	

Examiner Name

Attorney Docket Number

John C. Fox

22188/06605

(use as many sheets as necessary)

Sheet

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Examiner Initials*	Cite No.1	Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear
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FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.1	Office <sup>3</sup>	Foreign Patent Docume  Number <sup>4</sup>	nt Kind Code <sup>s</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	1	EP	0 877 170	A1	Ohmi, et al.	11-11-1998		
		wo	99/59392		Swagelok Company	11-25-1999		
-		EP	1 239 203	A1	ASML US, Inc.	09-11-2002		
	1					<u> </u>		<del> </del>
		1						<del>                                     </del>

	OTHER PRIOR ART	
Examiner Signature	Date Considered	

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commission for Patents, Washington, DC 20231.

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&#</sup>x27;Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard St. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.